

REMARKS

A petition to extend the time for response by two (2) months is enclosed herewith.

Claim 1 has been amended. Claims 1 - 19 are currently pending with claims 4, 7, 18, and 19 being withdrawn from consideration.

In the Office Action, claims 1 - 3, 5, 6, and 8 - 15 are rejected under 35 U.S.C. §112, second paragraph, as being indefinite. Also, in the Office Action, claims 1, 2, 5, 6, 8, and 9 are rejected under 35 U.S.C. §103(a) as unpatentable over US Patent No. 3,530,864 to Wright in view of Japan 10-103297 or Japan1-237393. Additionally, in the Office Action, 3 and 17 are rejected under 35 U.S.C. §103(a) as unpatentable over US Patent No. 3,530,864 to Wright, Japan 10-103297, and Japan1-237393 as applied to claim 1 and further in view of U.S. Patent No. 4,349,434 to Jaworski or Germany 36 40 252. Furthermore, in the Office Action, claims 10 - 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent No. 3,530,864 to Wright, Japan 10-103297, and Japan1-237393 as applied to claim 1 and further in view of U.S. Patent No. 4,594,500 to Wright. Also, in the Office Action, claims 14 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent No. 3,530,864 to Wright, Japan 10-103297, and Japan1-237393 as applied to claim 1 and further in view of U.S. Patent No. 4,429,845 to Stover et al, U.S. Patent No. 2,066,127 to Slayter, or UK 2,212,901.

Claim 1 of the present application as currently amended recites a pump for a dishwasher having a dishwashing compartment. The pump is fluidically connected to the dishwashing compartment for channeling liquid to the dishwashing compartment and the pump is disposed outside the dishwashing compartment. The pump, as further recited in claim 1 of the present application as currently amended, includes a pump housing defining an interior and housing a motor and an impeller. The pump housing includes an inflow conduit through which dishwashing liquid flows out of the dishwashing compartment and into the pump housing into contact with the impeller. Claim 1 of the present application

as currently amended further recites a heater for heating dishwashing liquid, with the heater including a heating device disposed on the pump housing in heat-conducting contact with the interior of the pump housing. The heating device is operable to provide heat, via its heat-conducting contact with the interior of the pump housing, to the dishwashing liquid flowing through the pump housing such that a substantial portion of the heat that is acquired by the dishwashing liquid is imparted thereto by the heating device.

US Patent No.3,530,864 to Wright discloses a dishwashing machine which comprises a dish loading zone, a washing zone and an unloading zone. The washing zone is enclosed by a structure containing ingress and egress openings on both sides for transferring dishes into and out of the washing zone. The loading and unloading zones flank either side of the washing zone and contain transport racks for moving dishes in and out of the washing zone. A wash rack in the washing zone functions to receive the dishes from either of the transport racks and to hold the dishes during the wash cycles. The wash rack transfers the dishes back to either of the transport racks for removal from the washing zone. A storage tank 8 for storing sterilizing solution is located below the washing zone. A pump 11 is communicated via an outlet pipe 7' with the reservoir 8. An immersion heater 12 is mounted on the inner side of a partition 6 of the reservoir 8 to control the temperature of the sterilizing solution in the reservoir 8.

The Office Action asserts that US Patent No.3,530,864 to Wright discloses pump is disposed outside the dishwashing compartment the pump including a pump housing defining an interior and housing a motor and an impeller, and a heater 12. However, the Office Action concedes that US Patent No.3,530,864 to Wright does not disclose a heating device disposed on the housing of a pump that is outside the dishwashing compartment. Nonetheless, the Office Action further asserts that Japan 10-103297 and Japan1-237393 each disclose the combination of a heater and a pump for heating water where the heater is located on the pump housing.

As noted above, US Patent No.3,530,864 to Wright does not disclose a heating device disposed on the housing of a pump that is outside the dishwashing compartment. Instead, US Patent No.3,530,864 to Wright discloses an immersion heater 12 mounted on the inner side of a partition 6 of the reservoir 8 to control the temperature of the sterilizing solution in the reservoir 8. Thus, it is submitted, US Patent No.3,530,864 to Wright itself provides no suggestion or hint to one of ordinary skill in the art of the desirability of providing a heating device on the housing of a pump that is outside the dishwashing compartment of a dishwasher. Furthermore, it is submitted that none of Japan 10-103297, Japan1-237393, U.S. Patent No. 4,349,434 to Jaworski, Germany 36 40 252, U.S. Patent No. 4,429,845 to Stover et al, U.S. Patent No. 2,066,127 to Slayter, or UK 2,212,901 provide any motivation, suggestion or teaching to one of ordinary skill in the art of the desirability of combining any of their respective pump arrangements, let alone any motivation, suggestion or teaching of the desirability of combining these pump arrangements in the manner suggested in the Office Action. For example, neither US Patent No. 4,349,434 to Jaworski nor Germany 36 40 252 disclose a pump arrangement for a dishwasher; instead, US Patent No. 4,349,434 to Jaworski discloses a gas fired heater 60a located in between a pump 76 and the inlet 80 of a hot tub 74 while Germany 36 40 252 discloses a circulating pump 4 for circulating water to and from openings in the wall of a bath.

Additionally, none of Japan 10-103297, Japan1-237393, U.S. Patent No. 4,349,434 to Jaworski, Germany 36 40 252, U.S. Patent No. 4,429,845 to Stover et al, U.S. Patent No. 2,066,127 to Slayter, or UK 2,212,901 provide any motivation or suggestion to modify the arrangement shown in US Patent No.3,530,864 to Wright. Moreover, even if any of Japan 10-103297, Japan1-237393, U.S. Patent No. 4,349,434 to Jaworski, Germany 36 40 252, U.S. Patent No. 4,429,845 to Stover et al, U.S. Patent No. 2,066,127 to Slayter, or UK 2,212,901 did provide one of ordinary skill in the art with some motivation to modify the arrangement shown in US Patent No.3,530,864 to Wright, which

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Applicants submit none of them do, none of these prior art references provides any teaching as to how the arrangement shown in US Patent No.3,530,864 to Wright should be modified. Accordingly, it is submitted that claim 1 of the present application is neither taught nor disclosed by any combination of US Patent No.3,530,864 to Wright and Japan 10-103297, Japan1-237393, U.S. Patent No. 4,349,434 to Jaworski, Germany 36 40 252, U.S. Patent No. 4,429,845 to Stover et al, U.S. Patent No. 2,066,127 to Slayter, or UK 2,212,901.

As discussed in detail in the preceding remarks, it now is believed that all of the claims are allowable over the prior art and are in allowable form. Early allowance of Claims 1 - 19 is earnestly solicited.

If the Examiner has any questions regarding this amendment, the Examiner is requested to contact the undersigned.

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Respectfully submitted



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